

Application No.: 10/613,912

Docket No. D03074

REMARKS

A. Status of the Application

Claims 10 and 26-30 are presently under consideration in this application.

The Examiner has rejected all pending claims as unpatentable 35 U.S.C. § 101, and Claim 10 under 35 U.S.C. § 112.

With this response the Applicant has requested the amendment of all pending claims.

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B. Objections to the Specification

The Examiner objected to the specification for an omission of a serial number and filing date of a related application. With this response Applicant has requested the amendment of the specification to include that number and date.

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B. Rejections of the Claims under 35 U.S.C. § 101

The Examiner rejected claims 10 and 26-30 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Examiner found the claims to be directed to method or process for performing an averaging operation on a plurality of via a specified mathematical algorithm to obtain an average result. This result was viewed as intangible because no practical application was evident from the claims.

With this response the Applicant has amended all of the pending claims to specifically require the step of "utilizing the result R to implement a finite impulse response filter." It is believed with this implementation being delineated as an added step (as opposed to an intended field of use), the claims now clearly read upon statutory subject matter.

The Examiner's reconsideration of the 35 U.S.C. § 101 rejections is respectfully requested.

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B. Rejections of the Claims under 35 U.S.C. § 112

The Examiner rejected claim 10 as being indefinite under 35 U.S.C. § 112, noting that the Applicant's previous amendment inadvertently removed the definition of the term "R" from that claim. With this response the Applicant has amended Claim 10 so as to correct the Applicant's overzealous redacting of this claim, and include a proper definition of "R".

Reconsideration is requested.

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CONCLUSION

The presently amended claims are believed to be in condition for allowance, and the Applicant respectfully requests such. Should any issues arise that prevent early allowance of the above application, the examiner is invited contact the undersigned to resolve such issues.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

Dated: May 25, 2006

Respectfully submitted,

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